

RECLAMATION

Managing Water in the West

Funding Opportunity Announcement No. BOR-DO-17-F013

WaterSMART Cooperative Watershed Management Program Phase II Grants for Fiscal Year 2017



**U.S. Department of the Interior
Bureau of Reclamation
Policy and Administration
Denver, Colorado**

December 2016

Mission Statements

The U.S. Department of the Interior protects America's natural resources and heritage, honors our cultures and tribal communities, and supplies the energy to power our future.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Cover photo: Little Truckee River in between Stampede and Boca Dams, California. *Photo by Alexander Stephens, Reclamation.*

Synopsis

Federal Agency Name:	Department of the Interior, Bureau of Reclamation, Policy and Administration
Funding Opportunity Title:	WaterSMART: Cooperative Watershed Management Program (CWMP) Phase II Grants for fiscal year (FY) 2017
Announcement Type:	Funding Opportunity Announcement (FOA)
Funding Opportunity Number:	BOR-DO-17-F013
Catalog of Federal Domestic Assistance (CFDA) Number:	15.554
Dates: (See FOA Sec. D.4)	Application due date: Wednesday, February 15, 2017, 4:00 p.m. Mountain Standard Time
Eligible Applicants: (See FOA Sec. C.1)	Established watershed groups as defined in the Section 6001(5) of the Cooperative Watershed Management Act (Act) that also meet the requirements outlined in Section 6002(c)(2)(A)(iv) of the Act, and are located in the Western United States or United States Territories as identified in the Reclamation Act of June 17, 1902, as amended.
Recipient Cost Share: (See FOA Sec. C.2)	50 percent or more of project costs
Federal Funding Amount: (See FOA Sec. B.1)	Up to \$100,000 per agreement.
Estimated Number of Agreements to be Awarded: (See FOA Sec. B.2)	It is anticipated that 14 to 16 awards may be funded under this FOA.
Estimated Amount of Funding Available for Award: (See FOA Sec. B.1)	<p>The President's FY 2017 budget requests \$1.75 million for the Cooperative Watershed Management Program. Reclamation will determine the amount of funding available for award for this WaterSMART FOA once final FY 2017 appropriations have been made. Any awards are subject to a determination by Reclamation that FY 2017 appropriations are available.</p> <p>Applications submitted under this FOA may also be considered if additional funding becomes available in FY 2017 or thereafter.</p>

Application Checklist

The following table contains a summary of the information that you are required to submit with your application.

✓	What to submit	Required content	Form or format	When to submit
	Mandatory Federal Forms: Application for Federal Financial Assistance Budget Information Assurances	See Sec. D.2.2.1	SF-424, SF-424A, SF-424B, SF-424C, and SF-424D forms may be obtained at http://apply07.grants.gov/apply/FormLinks?family=15	*
	Title page	See Sec. D.2.2.2	Page 17	*
	Table of contents	See Sec. D.2.2.3	Page 17	*
	Eligibility Documents	See Sec. D.2.2.4	Page 17	
	Technical proposal:			*
	Executive summary	See Sec. D.2.2.5	Page 19	*
	Background data	See Sec. D.2.2.5	Page 19	*
	Project description	See Sec. D.2.2.5	Page 19	*
	Evaluation criteria	See Sec. E.1	Pages 33 to 37	*
	Performance measures	See Sec. D.2.2.6	Page 20	*
	Environmental and cultural resources compliance	See Sec. D.2.2.7	Page 20	*
	Letters of support	See Sec. D.2.2.8	Page 21	*
	Required permits or approvals	See Sec. D.2.2.9	Page 22	*
	Official Resolutions	See Sec. D.2.2.10	Page 22	**
	Project Budget:	See Sec. D.2.2.11	Pages 22 to	*
	Funding plan and letters of commitment		Page 22	*
	Budget proposal		Page 24	*
	Budget narrative		Page 25	*
	Unique Entity Identifier and System for Award Management	See Sec. D.3	Page 29	***

* Submit materials with your application. !

** Document should be submitted with your application; however, please refer to the applicable section of the FOA for ! extended submission date. !

*** Should be completed by application deadline; however, please refer to the applicable section of the FOA for ! extended completion date. !

Acronyms and Abbreviations \$

Act	The Cooperative Watershed Management Act
ARC	Application Review Committee
ASAP	Automated Standard Application for Payments
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CWA	Clean Water Act
CWMP	Cooperative Watershed Management Program
Department	U.S. Department of the Interior
DUNS	Data Universal Number System
EA	Environmental Assessment
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FOA	Funding Opportunity Announcement
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
FY	fiscal year
MST	Mountain Standard Time
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resources Conservation Service
OM&R	operations, maintenance, and replacement
P.L.	Public Law
Reclamation	Bureau of Reclamation
ROD	Record of Decision
SAM	System for Awards Management
U.S.	United States
USACE	U.S. Army Corps of Engineers
USC	United States Code
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
WaterSMART	Sustain and Manage America's Resources for Tomorrow

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Section A. Funding Opportunity Description \$

A.1. Program Information

The Nation faces an increasing set of water resource challenges. Aging infrastructure, rapid population growth, depletion of groundwater resources, impaired water quality associated with particular land uses and land covers, water needed for human and environmental uses, drought, and climate change all play a role in determining the amount of freshwater available at any given place and time. Water shortages and water-use conflicts have become more commonplace in many areas of the United States, even in normal water years. As competition for water resources grows—crop irrigation, city and community growth, energy production, and the environment—the need for information and tools to aid water resource managers also grows.

These water issues are exacerbating the challenges facing traditional water management approaches which, by themselves, no longer meet today's needs. The U.S. Department of Interior's (Department) WaterSMART (Sustain and Manage America's Resources for Tomorrow) Program establishes a framework to provide Federal leadership and assistance on the efficient use of water; integrate water and energy policies to support the sustainable use of all natural resources; form strong diverse partnerships with states, tribes and local entities; and coordinate with other Department bureaus and offices on water conservation activities.

The Cooperative Watershed Management Program (CWMP) contributes to the WaterSMART strategy by providing funding to watershed groups to encourage diverse stakeholders to form local solutions to address their water management needs. By providing this funding, the Bureau of Reclamation (Reclamation) is promoting the sustainable use of water resources, improving the *ecological resilience* of rivers and streams, and conserving water for multiple uses using collaborative conservation efforts. *Ecological resilience is the capacity of a system to absorb disturbance and reorganize while undergoing change, so as to retain essentially the same function, structure, identity, and feedbacks.*

In accordance with the authority for the CWMP, Reclamation may fund the establishment and further development of watershed groups (Phase I) and the implementation of on-the-ground watershed management projects (Phase II). In 2012, Reclamation initiated Phase I of the CWMP and has since awarded a total of \$2.4 million in funding for the establishment and further development of 30 watershed groups in nine states. In 2017, Reclamation will initiate Phase II of the CWMP. **This funding opportunity announcement (FOA) provides funding to watershed groups for Phase II projects to implement watershed management projects.** For further information on the CWMP see www.usbr.gov/watersmart/cwmp.

A.2. Objective of this Funding Opportunity Announcement

The objective of this FOA is to invite established watershed groups that represent a diverse group of stakeholders, have completed a watershed restoration plan, and are capable of promoting the sustainable use of water resources to submit proposals for watershed management projects under Phase II of the CWMP. Funding provided under this FOA may be used to implement on-the-ground watershed management projects, collaboratively developed by members of a watershed group, that will address critical water supply needs, water quality, and ecological resilience, helping water users meet competing demands and avoid conflicts over water.

A.3. Statutory Authority

This FOA is issued under the authority of Section 6002 of the Cooperative Watershed Management Act, Subtitle A of Title VI of the Omnibus Public Land Management Act of 2009, P.L. 111-11 (42 United States Code [USC] 10364).

A.4. Other Related Funding Opportunities

Reclamation also provides funding for the establishment or further development of watershed groups through **Phase I of the CWMP**. A FOA for Phase I will be available in fiscal year (FY) 2018, contingent upon appropriations.

In addition, Reclamation provides funding for on-the-ground water management projects through several other programs. Through **WaterSMART Grants**, Reclamation provides three funding opportunities. **Water and Energy Efficiency Grants** (No. BOR-DO-17-F012)¹ focus on projects that result in quantifiable and sustained water savings and projects that increase renewable energy use and improve energy efficiency. The **Small-Scale Water Efficiency Projects** (No. BOR-DO-17-F011) provides funding for small-scale water management projects (up to \$75,000 in Federal funding for each project) that have been identified through previous planning efforts. Finally, **Water Marketing** grants provide meaningful support for entities exploring actions that can be taken to develop or facilitate water marketing.

Through the **Drought Response Program**, Reclamation provides funding to help build resilience to drought. Through **Drought Contingency Planning** (FOA No. BOR-DO-17-F009), Reclamation supports the development of drought contingency plans with participation from a diverse set of stakeholders. Reclamation also provides funding for **Drought Resiliency Projects** (FOA No. BOR-DO-17-F010) supported by an existing drought contingency plan to build long term resilience to drought.

¹ FOAs with numbers are currently accepting applications.

For information on the FOAs listed here, please visit the WaterSMART Program website: www.usbr.gov/watersmart/index.html.

A.5. Natural Resource Investment Center

The Department of the Interior has established a Natural Resource Investment Center to work collaboratively with private sector investors, foundations, non-profit organizations and non-federal government entities to build partnerships to address the challenges currently being faced in water infrastructure and water management more broadly. The Investment Center is available as a resource to you. Please visit doi.gov/invest for additional information on the Investment Center and to find out more about potential sources of non-Federal funding for projects being proposed in response to this or other WaterSMART FOAs.

Section B. Award Information

B.1. Total Project Funding

The President's FY 2017 budget includes a request for \$1.75 million for the CWMP. The majority of this funding will be awarded as financial assistance through this FOA. The amount of funding available for awards depends on final FY 2017 appropriations. This FOA may be canceled if FY 2017 appropriations are insufficient to support new awards. Applications submitted under this FOA may also be considered if other funding becomes available in FY 2017 or subsequently. Updated funding information is available at www.usbr.gov/watersmart/cwmp.

B.2. Project Funding Limitations

Up to \$100,000 in Federal funds per applicant will be available through this FOA to implement on-the-ground watershed management projects that will address critical water supply needs, water quality, and ecological resilience. A more detailed description of eligible projects is included in *Section C.3 Eligible Projects*.

For projects funded under this FOA, up to \$100,000 in Federal funds may be awarded over the period of performance, with no more than \$50,000 awarded per year. After the first year of a project, each subsequent year of funding is contingent upon sufficient progress during the previous year and future appropriations.

Multiple applications for funding may be submitted for consideration. ***However, no more than \$100,000 may be awarded to any one applicant under this FOA.***

B.3. Assistance Instrument

Awards will be made through a grant or cooperative agreement as applicable to the selected project. If a cooperative agreement is awarded, the recipient should expect Reclamation to have substantial involvement in the project.

Substantial involvement by Reclamation may include:

- Collaboration and participation with the recipient in the management of the project and close oversight of the recipient's activities to ensure that the program objectives are being achieved.
- Oversight may include review, input, and approval at key interim stages of the project.

At the request of the recipient, Reclamation can provide technical assistance after award of an agreement. If you would like to receive Reclamation technical assistance, you must account for these costs in your budget. To discuss available assistance and these costs, contact the Program Coordinator identified in *Section G. Agency Contacts*.

Section C. Eligibility Information

C.1. Eligible Applicants

An eligible applicant is an established watershed group as defined in the Section 6001(5) of the Cooperative Watershed Management Act (Act) that has met the requirements outlined in Section 6002(c)(2)(A)(iv) of the Act (see *Section A.3. Statutory Authority* for full citation). In summary, the applicant must be a grassroots, non-regulatory entity that addresses water availability and quality issues within the relevant watershed, represents a diverse group of stakeholders, and is capable of promoting the sustainable use of water resources in the watershed. The applicant must also have approved articles of incorporation, bylaws, and a mission statement; hold regular meetings; and have developed a restoration plan and project concepts for the watershed (see *Section D.2.2.2 Documentation in Support of Applicant Eligibility*).

Applicants must also be located in the Western United States or Territories as identified in the Reclamation Act of June 17, 1902, as amended and supplemented; specifically: Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands.

Those not eligible include, but are not limited to, the following entities:

- Governmental entities
- Institutes of higher education
- Individuals

C.2. Cost Sharing Requirements

Applicants must be capable of cost sharing 50 percent or more of the total project costs. Cost sharing may be made through cash or in-kind contributions from the applicant or third-party partners. Cost share funding from sources outside the applicant's organization (e.g., loans or state grants) should be secured and available to the applicant prior to award. Please see *Section D.2.2.10. Official Resolution* and *D.2.2.11 Funding Plan and Letters of Commitment* for more information regarding the documentation required to verify commitments to meet cost sharing requirements.

C.2.1. Cost-Share Regulations

All cost-share contributions must meet the applicable administrative and cost principles criteria established in 2 Code of Federal Regulations (CFR) Part 200, available at www.ecfr.gov.

C.2.2. Donations and In-Kind Contributions

Donations and in-kind contributions constitute the value of noncash contributions that benefit a federally assisted project. These may be in the form of real property, equipment,

supplies, and other expendable property, as well as the value of goods and services directly benefiting and specifically identifiable to the project or program. The cost or value of donations and in-kind contributions that have been or will be relied on to satisfy a cost sharing or matching requirement for another Federal financial assistance agreement, a Federal procurement contract, or any other award of Federal funds may not be relied on to satisfy the cost-share requirement for an award under this FOA. The exception to this requirement is where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs, such as awards to tribal organizations under P.L. 93-638, as amended. Applicants should refer to 2 CFR §200.434 for regulations regarding the valuation of donations and in-kind contributions, available at www.ecfr.gov.

C.3. Eligible Projects

C.3.1 Eligible Projects

Reclamation will provide funding for projects that implement local solutions to improve the ecological resilience of rivers, streams, and riparian areas; conserve water for multiple uses; and reduce conflicts over water through collaborative conservation efforts in the management of local watersheds.

The primary and supplemental project types, below, describe projects eligible for funding under this FOA. Supplemental project types are not eligible as stand-alone projects under this program but are eligible as a sub-component of a primary eligible watershed management project.

Other projects that are similar to the types listed below may be submitted for consideration and will be allowed to the extent consistent with program authorization and goals. In general, if you are seeking funding for multiple projects (for example, a project to restore and enhance floodplains and a water management project) and the projects are interrelated or closely related, they should be combined in one application.

C.3.1.1. Primary Project Types

Eligible projects include activities that improve the ecological resilience of rivers, streams, other water resources, and riparian corridors within the watershed. This includes projects that will benefit water quantity, water quality, and multiple water uses within the watershed (e.g., municipal, agricultural, environmental, tribal, recreation uses). Eligible projects may include, but are not limited to:

- **Improving Stream Channel Structure and Complexity:** Activities that improve channel structure and complexity to improve or maintain habitat and restore conditions supporting a healthy river channel, protect and stabilize stream or river banks, decrease sediment, and improve water quality and temperature. For example: removing fish passage barriers or installing fish passage structures; adding spawning gravels, large woody material, or other materials to create diverse flow regimes, restore side-channels, or protecting banks.

- **Restoring or Enhancing Floodplains:** Activities that reconnect floodplains to the current channel to provide floodplain habitat, reduce flood risk downstream, and improve water quality and temperature. For example: excavating the floodplain surface, reconnecting floodplains to streams by lowering or removing levees and berms, or raising the channel bed surface and narrowing the effective width of the channel.
- **Restoring or Enhancing Vegetation:** Activities that restore vegetation to improve the health of water sources and riparian ecosystems, to reduce erosion, reduce flood risk, increase drought resilience, improve water quality and temperature and restore habitat. For example: restoring trees and other vegetation (including native species), restoring wetlands, increasing groundwater infiltration, or installing fences to protect vegetation and stream banks from livestock and wildlife.
- **Controlling Invasive Species:** Activities to prevent or mitigate the impacts of invasive species likely to negatively impact the river, stream, or riparian ecosystem. For example: preventing the establishment of an invasive species or removing or controlling an invasive species that has negatively impacted the river, stream, or riparian ecosystem.
- **Improving Ecological Resilience through Water Conservation Activities:** Activities that conserve water through small-scale water delivery system improvements to improve ecological resilience. This includes projects with multiple benefits that both improve ecological resilience and increase water supplies for multiple water uses within the watershed. For example: projects that increase groundwater recharge into streams or reduce surface water diversions through small-scale water conservation projects and efficiency improvements.

Note: applicants proposing projects that conserve water but do not improve the ecological resilience of the watershed should consider the WaterSMART Grants Water and Energy Efficiency Grants FOA, the WaterSMART Grants Small-Scale Water Efficiency Projects FOA, or the WaterSMART Drought Resiliency Projects FOA.

- **Improving Ecological Resilience through Water Management Activities:** Water management activities that benefit aquatic and riparian ecosystems within the watershed. For example, projects that influence water temperature or improve the timing or volume of available flows at particular locations to improve aquatic conditions by: identifying, protecting, or reconnecting cool water sources; changing the location of water withdrawals and/or discharges; or updating system operations (e.g., changing the timing of diversions or reservoir releases), in accordance with State and Federal water laws.

Note: applicants proposing projects that improve water management but do not improve the ecological resilience of the watershed should consider the WaterSMART Grants Water and Energy Efficiency Grants FOA, the WaterSMART Grants Small-Scale Water Efficiency Projects FOA, or the WaterSMART Drought Resiliency Projects FOA.

- **Addressing Water Quality through Mitigation:** Activities that prevent or remediate downstream contamination from agriculture, forestry operations, wildfires and mining. For example: installing berms, establishing wetland treatment areas, or establishing vegetative buffers to prevent contaminants from entering the water source.

Note: activities that address a specific regulatory requirement are not eligible for funding under this program (see Section C.3.2. Ineligible Projects for more information).

C.3.1.2. Supplemental Activities

Eligible supplemental activities include projects that use monitoring, modeling, and mapping tools to inform science-driven management of the watershed. To be eligible, activities must contribute to the improvement of the ecological resilience of the river, stream, or riparian systems within the watershed.

Note: projects composed entirely of monitoring, modeling, or mapping components are considered planning projects and are not eligible as stand-alone projects under this FOA. However, monitoring, modeling and mapping activities are eligible as a sub-component of an eligible watershed management project as described in Section C.3.1.1. Primary Project Types.

Eligible supplemental project activities may include, but are not limited to:

- **Monitoring Activities:** Activities that monitor physical conditions and the health of animals, plants, and other organisms. For example: monitoring hydrology and channel structure and complexity; monitoring the health of plant and animal communities; establishing a long-term water quality monitoring program to provide a basis for scientific assessment of water quality and associated management needs; or characterizing water quality near monitoring sites. Proposals that include monitoring activities must include a monitoring and data management plan describing protocols for monitoring and data collection, including protocols to ensure that the data collected is valid and useful for meeting the project objectives.

Note: Program funding may be used to establish a monitoring and data management plan or to install necessary equipment to monitor progress, and these efforts may be used as a performance measure for the project (see Section D.2.2.5. Performance Measures for more information). However, program funding may not be used for monitoring and data collection once the project is completed (these costs are considered normal operation and maintenance costs and are the responsibility of the recipient).

- **Modeling and Mapping Activities:** Activities that develop or use models, decision support tools, and maps to support watershed management. For example: using hydrologic modeling to evaluate potential alterations to operational reservoir releases for ecological benefits or using models and maps to optimize the location of restoration activities.

C.3.2. Ineligible Projects

Projects not eligible for funding under this FOA include scientific research and the project types identified immediately below.

C.3.2.1. Operations, Maintenance, and Replacement

Projects that are considered normal operations, maintenance and replacement (OM&R) are not eligible. OM&R is described as system improvements that replace or repair existing infrastructure or function without providing increased efficiency or effectiveness of water distribution over the expected life of the improvement.

Examples of ineligible OM&R projects include:

- Replacing malfunctioning components of an existing facility with the same components
- Improving an existing facility to operate as originally designed
- Performing an activity on a recurring basis, even if that period is extended (e.g., 10-year interval)
- Sealing expansion joints of concrete lining because the original sealer or the water stops have failed
- Replacing broken meters with new meters of the same type
- Replacing leaky pipes with new pipes of the same type

Applicants that have questions regarding OM&R are encouraged to contact the program coordinator listed in *Section G. Agency Contacts*, prior to the application deadline for further information.

C.3.2.2. Projects to Adhere to Specific Regulatory Requirements

Projects or elements of projects addressing specific regulatory requirements mandated by a state or Federal agency action or a court order are not eligible for funding under this program. For example, program funding may not be used to meet requirements resulting from a regulatory action under the Clean Water Act or under the Comprehensive Environmental Response, Compensation, and Liability Act (otherwise known as Superfund). However, funding may be used to support more general activities, including recovery actions under the Endangered Species Act (ESA). For more information, the program coordinator listed in *Section G. Agency Contacts*, prior to the application deadline.

C.3.2.3. Title XVI Water Recycling and Reuse

Title XVI is Reclamation's Water Recycling and Reuse Program focused on identifying and investigating opportunities to reclaim and reuse wastewaters and naturally impaired ground and surface water. In general, this FOA is not intended for water recycling and reuse projects.

Any projects or project elements that are part of a congressionally authorized Title XVI project of P.L.102-575, as amended (43 USC 390h et seq.), are not eligible for funding under this FOA. A list of congressionally authorized Title XVI projects can be found at www.usbr.gov/watersmart/title/authorized.html.

In addition, if a project sponsor is likely to seek funding for the activity through the Title XVI Program in the future (e.g., seeking congressional authorization for the project or preparing a Title XVI feasibility study that describes the activity as part of a proposed Title XVI project) that activity should be pursued under the Title XVI Program instead of this FOA.

If your project is in the same area as a congressionally authorized project, or if you are unclear whether your project is part of a congressionally authorized Title XVI project, please contact Amanda Erath, Title XVI Program Coordinator, aerath@usbr.gov, 303-445-2766. For additional information on the Title XVI program, please visit: www.usbr.gov/WaterSMART/title.

C.3.2.4. Water and Land Purchases and Easements

A project that proposes using Federal funding primarily for the purchase of water or land, or to secure an easement, is not eligible under this FOA.

C.3.2.5. Building Construction

A project that proposes to construct a building is not eligible for Federal funding under this FOA (e.g., a building to house administrative staff or to promote public awareness of water conservation).

C.3.2.6. On-Farm Irrigation Efficiency Improvements

Projects to conduct on-farm irrigation efficiency improvements are not eligible under this FOA. Applicants interested in on-farm improvements should contact the U.S. Department of Agriculture (USDA) and Natural Resources Conservation Service (NRCS) to investigate opportunities for Federal assistance. For more information on NRCS programs, including application deadlines and a description of available funding, please contact your local NRCS office or visit www.nrcs.usda.gov for further contact information in your area.

C.3.2.7. Pilot Projects

A project that proposes to conduct a pilot study to evaluate technical capability, economic feasibility, or viability for full-scale implementation or to test an unproven material or technology is not eligible for Federal funding under this FOA.

C.3.2.8. General Education Activities

General activities to educate watershed stakeholders about water quality, quantity, or watershed restoration issues, are not eligible under this FOA.

C.3.3 Length of Projects

In general, proposed projects should be completed within two years of award. Applications for projects requiring three years to be completed may be considered if support can be provided for why more time is required (e.g., additional time is needed for permitting, land access, environmental and cultural resources compliance, or for more complex projects).

Section D. Application and Submission Information

D.1. Address to Request Application Package

This document contains all information, forms, and electronic addresses required to obtain the information required for submission of an application.

If you are unable to access this information electronically, you can request paper copies of any of the documents referenced in this FOA by contacting:

By mail: Bureau of Reclamation
Financial Assistance Operations Section
Attn: Ms. Irene Hoiby
Mail Code: 84-27852
P.O. Box 25007
Denver, CO 80225

By e-mail: ihoiby@usbr.gov

By telephone: 303-445-2025

D.2. Content and Form of Application Submission

All applications must conform to the requirements set forth below.

D.2.1. Application Format and Length

The total application package shall be no more than **50** consecutively numbered pages. If an application exceeds 50 pages, only the first 50 pages will be evaluated. The font shall be at least 12 points in size and easily readable. Page size shall be 8½ by 11 inches, including charts, maps, and drawings. Oversized pages will not be accepted. The technical proposal and evaluation criteria section shall be limited to a maximum of **35** pages. The SF-424 forms, letters of project support, and official resolution will not be considered in the total page count.

Applications will be prescreened for compliance to the page number limitations.

D.2.2. Application Content

The application must include the following elements to be considered complete:

- Mandatory Federal Forms
 - SF-424 Application for Federal Assistance
 - SF-424A Budget Information – Non-Construction Programs or SF-424C Budget Information – Construction Programs
 - SF-424B Assurances – Non-Construction Programs or SF-424D Assurances – Construction Programs

SF-424, SF-424A, SF-424B, SF-424C, and SF-424D forms may be obtained at www.grants.gov/web/grants/forms/sf-424-mandatory-family.html.
- Title page
- Table of contents
- Documentation in support of applicant eligibility (will not count toward the page limitation)
 - Self certification that group meets the definition of a “Watershed Group”
 - Articles of incorporation
 - Bylaws
 - Mission statement
 - Meetings
 - Watershed management and/or restoration plan
- Technical proposal and evaluation criteria (limited to **35** pages)
 - Executive summary
 - Background data
 - Project description
 - Evaluation criteria
- Performance measures
- Environmental and cultural resources compliance
- Letters of project support (will not count toward the page limitation)
- Required permits or approvals
- Official resolution (will not count toward the page limitation)
- Project budget
 - Funding plan and letters of commitment
 - Budget proposal
 - Budget narrative

D.2.2.1. Mandatory Federal Forms

The application must include the following standard Federal forms.

SF-424 Application for Federal Assistance

A fully completed SF-424 Application for Federal Assistance, signed by a person legally authorized to commit the applicant to performance of the project must be submitted with the application. Failure to submit a properly signed SF-424 may result in the elimination of the application from further consideration.

SF-424 Budget Information

A fully completed SF-424A Budget Information Non-Construction Programs or SF-424C Budget Information Construction Programs must be submitted with the application.

SF-424 Assurances

An SF424B Assurances Non-Construction Programs or SF-424D Assurances Construction Programs, signed by a person legally authorized to commit the applicant to performance of the project must be included. Failure to submit a properly signed SF-424D may result in the elimination of the application from further consideration.

D.2.2.2. Title Page

Provide a brief, informative, and descriptive title for the proposed work that indicates the nature of the project. Include the name and address of the applicant, and the name and address, e-mail address, and telephone of the project manager.

D.2.2.3. Table of Contents

List all major sections of the proposal in the table of contents.

D.2.2.4. Documentation in Support of Applicant Eligibility

The application must include the following documentation to demonstrate that the applicant is eligible to receive an award under this FOA. *(Note: these documents will not count against the application page limit.)*

Meets the Definition of a "Watershed Group," as defined in Section 6001(5) of the Cooperative Watershed Management Act (Act)

To be eligible under this FOA, a watershed group must self-certify that the watershed group is a grassroots, non-regulatory entity that addresses water availability and quality issues within the relevant watershed, represents a diverse group of stakeholders, and is capable of promoting the sustainable use of water resources in the watershed. Please also provide a list of the members of the watershed group.

Articles of Incorporation

Attach a copy of the applicant's articles of incorporation. Watershed groups are not currently incorporated may apply, but they will need to complete the incorporation process prior to an award of funding. If an applicant has not fully complied with this requirement by the time the Reclamation is ready to make an award, Reclamation may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Bylaws

Attach a copy of the bylaws adopted by the applicant.

Mission Statement

To be eligible under this FOA, the applicant must also have a mission statement. Attach a copy of the mission statement developed by the watershed group.

Meetings

To be eligible under this FOA, a watershed group must hold regular meetings. In the proposal, the applicant should self-certify that the watershed group holds regular meetings.

Watershed Restoration Plan

Attach a copy of the applicable watershed restoration plan, or sections of the plan, that identify the proposed project. A watershed restoration plan is a tool designed to help a watershed group plan for and implement restoration activities in their watershed. For the purposes of this FOA, a watershed restoration plan must describe the issues of concern related to water resources within the watershed and identify potential solutions. Such plans do not need to have been approved by Reclamation or developed under Phase I of the Cooperative Watershed Management Program. In cases where the applicant did not prepare the restoration plan itself, the applicant must provide documented support for the proposed project by the entity that authored the plan.

Reclamation understands that watershed restoration plans may take different forms depending on the purpose for which they were developed. Rather than prescribing a particular format or set of elements, Reclamation will use the evaluation criteria (see *Section E.1.1. Evaluation Criterion A: Watershed Restoration Planning*) to prioritize proposals based on watershed restoration plans that are more holistic, addressing multiple issues related to water resources within the watershed, and plans developed by stakeholders with diverse interests.

D.2.2.5. Technical Proposal and Evaluation Criteria

The technical proposal and evaluation criteria (**50** pages maximum) includes:

- (1) Executive summary
- (2) Background Data

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- (3) Project description
- (4) Evaluation criteria

Executive Summary

The executive summary should include:

- The date, applicant name, city, county, and state
- A one paragraph project summary that specifies the work proposed, including how project funds will be used to accomplish specific project activities and briefly identifies how the proposed project contributes to accomplishing the goals of this FOA (see *Section C.3.1. Eligible Projects*)
- State the length of time and estimated completion date for the proposed project
- Whether or not the project is located on Federal land or a Federal facility

Background Data

Provide a map of the area showing the geographic location (include the state, county, and direction from nearest town) of the proposed project.

As applicable, briefly describe the watershed, including the source of water supply, the water rights involved, length of existence, current water uses (e.g., agricultural, municipal, domestic, instream uses, or industrial), and the types of water issues faced in the affected watershed (e.g., shortfalls in water supply, water quality issues, endangered species concerns, environmental issues, or other issues that the planned watershed group would like to address).

Identify any past working relationships with Reclamation. This should include the date(s), description of prior relationships with Reclamation, and a description of the project(s).

Project Description

The project description should describe the work in detail, including project milestones and specific activities that will be accomplished as a result of this project. This description shall have sufficient detail to permit a comprehensive evaluation of the proposal.

Evaluation Criteria

(See *Section E.1. Evaluation Criteria* for additional details, including a detailed description of each criterion and sub-criterion and points associated with each.)

The evaluation criteria portion of your application should thoroughly address each criterion and sub-criterion in the order presented to assist in the complete and accurate evaluation of your proposal.

It is suggested that applicants copy and paste the evaluation criteria and sub-criteria in Section E.1. Evaluation Criteria into their applications to ensure that all necessary information is adequately addressed.

D.2.2.6. Performance Measures

All applicants are required to propose a method (performance measure) of quantifying the benefits of their proposed project once it is implemented. Quantifying project benefits is an important means to determine the relative effectiveness of various water management efforts, as well as the overall effectiveness of the project.

D.2.2.7. Environmental and Cultural Resources Compliance

So that Reclamation can assess the probable environmental and cultural resources impacts and costs associated with each application, all applicants must respond to the following list of questions focusing on the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and National Historic Preservation Act (NHPA) requirements.

Please answer the following questions to the best of your knowledge. If any question is not applicable to the project, please explain why. The application should include the answers to:

- Will the proposed project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.
- Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?
- Are there wetlands or other surface waters inside the project boundaries that potentially fall under Clean Water Act (CWA) jurisdiction as “Waters of the United States?” If so, please describe and estimate any impacts the proposed project may have.
- When was the water delivery system constructed?
- Will the proposed project result in any modification of or effects to individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.

Section D. Application and Submission Information

- Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or the State Historic Preservation Office can assist in answering this question.
- Are there any known archeological sites in the proposed project area?
- Will the proposed project have a disproportionately high and adverse effect on low income or minority populations?
- Will the proposed project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?
- Will the proposed project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

Note, if mitigation is required to lessen environmental impacts, the applicant may, at Reclamation's discretion, be required to report on progress and completion of these commitments. Reclamation will coordinate with the applicant to establish reporting requirements and intervals accordingly.

Under no circumstances may an applicant begin any ground-disturbing activities (including grading, clearing, and other preliminary activities) on a project before environmental compliance is complete and Reclamation explicitly authorizes work to proceed. This pertains to all components of the proposed project, including those that are part of the applicant's non-Federal cost-share. Reclamation will provide a successful applicant with information once environmental compliance is complete. An applicant that proceeds before environmental compliance is complete may risk forfeiting Reclamation funding under this FOA.

If you have any questions regarding NEPA, ESA, CWA, and/or NHPA requirements, please contact your local Reclamation office, www.usbr.gov/main/offices.html.

D.2.2.8. Letters of Support

Please include letters from interested stakeholders supporting the proposed project. To ensure your proposal is accurately reviewed, please attach all letters of support/partnership letters as an appendix. *(Note: this will not count against the application page limit.)* **Letters of support received after the application deadline for this FOA will not be considered in the evaluation of the proposal.**

D.2.2.9. Required Permits or Approvals

Applicants must state in the application whether any permits or approvals are required and explain the plan for obtaining such permits or approvals. Note that improvements to Federal facilities that are implemented through any project

awarded funding through this FOA may also require additional reviews and approvals prior to award to ensure that any necessary easements, land use authorizations, or special permits can be approved consistent with the requirements of 43 CFR §429, and that the development will not impact or impair project operations or efficiency.

D.2.2.10. Official Resolution

Include an official resolution adopted by the applicant's board of directors or governing body verifying:

- The identity of the official with legal authority to enter into an agreement
- The board of directors, governing body, or appropriate official who has reviewed and supports the application submitted
- The capability of the applicant to provide the amount of funding and/or in-kind contributions specified in the funding plan
- That the applicant will work with Reclamation to meet established deadlines for entering into a grant or cooperative agreement

An official resolution meeting the requirements set forth above is mandatory.

If the applicant is unable to submit the official resolution by the application deadline because of the timing of board meetings or other justifiable reasons, the official resolution may be submitted up to 30 days after the application deadline.

D.2.2.11. Project Budget

The project budget includes:

- (1) Funding plan and letters of commitment
- (2) Budget proposal
- (3) Budget narrative

Funding Plan and Letters of Commitment

Describe how the non-Federal share of project costs will be obtained. Reclamation will use this information in making a determination of financial capability.

Project funding provided by a source other than the applicant shall be supported with letters of commitment from these additional sources. Letters of commitment shall identify the following elements:

- The amount of funding commitment
- The date the funds will be available to the applicant
- Any time constraints on the availability of funds

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- Any other contingencies associated with the funding commitment

If available, commitment letters from third party funding sources should be submitted with your project application. If commitment letters are not available at the time of the application submission, please provide a timeline for submission of all commitment letters. Cost-share funding from sources outside the applicant's organization (e.g., loans or state grants), should be secured and available to the applicant prior to award.

Reclamation will not make funds available for an award under this FOA until the recipient has secured non-Federal cost share. Reclamation will execute a financial assistance agreement once non-Federal funding has been secured or Reclamation determines that there is sufficient evidence and likelihood that non-Federal funds will be available to the applicant subsequent to executing the agreement.

Note: Applicants proposing a two or three year project are not required to have non-Federal cost share funding secured for the entire project at the time of award. At the time of award, two and three year projects must demonstrate sufficient evidence that non-Federal cost share for the first year of the project will be available by the start of that phase and must describe a plan and schedule for securing non-Federal funding for subsequent years of the project.

The funding plan must include all project costs, as follows:

- How you will make your contribution to the cost-share requirement, such as monetary and/or in-kind contributions and source funds contributed by the applicant (e.g., reserve account, tax revenue, and/or assessments).
- Describe any costs incurred before the anticipated Project start date that you seek to include as project costs. For each cost, identify:
 - The project expenditure and amount
 - Whether the expenditure is or will be in the form of in-kind services or donations
 - The date of cost incurrence
 - How the expenditure benefits the Project
- Provide the identity and amount of funding to be provided by funding partners, as well as the required letters of commitment.
- Describe any funding requested or received from other Federal partners.
Note: other sources of Federal funding may not be counted towards the required cost share unless otherwise allowed by statute.
- Describe any pending funding requests that have not yet been approved, and explain how the project will be affected if such funding is denied.

Please include the following chart (Table 1) to summarize all funding sources. Denote in-kind contributions with an asterisk (*).

Table 1.—Summary of Non-Federal and Federal Funding Sources

FUNDING SOURCES	AMOUNT
Non Federal Entities	
1.	
2.	
3.	
Non-Federal Subtotal	
Other Federal Entities	
1.	
2.	
3.	
Other Federal Subtotal	
REQUESTED RECLAMATION FUNDING	

Budget Proposal

The budget proposal should include detailed information on the categories listed below and must clearly identify the costs associated with all Project activities. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors. The budget proposal should also include any in-kind contributions of goods and services provided to complete the Project. It is strongly advised that applicants use the budget proposal format shown below on Table 2 or a similar format that provides this information. If selected for award, successful applicants must submit detailed supporting documentation for all budgeted costs. *Note: program funding may not be used for monitoring and data collection once the project is completed. These costs are considered normal OM&R costs and are not eligible for reimbursement.*

Table 2.—Sample Budget Proposal Format

BUDGET ITEM DESCRIPTION	COMPUTATION		Quantity Type	TOTAL COST
	\$/Unit	Quantity		
Salaries and Wages				
Employee 1				\$
Employee 2				\$
Fringe Benefits				

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BUDGET ITEM DESCRIPTION	COMPUTATION		Quantity Type	TOTAL COST
	\$/Unit	Quantity		
Full-Time Employees				\$
Part-Time Employees				\$
Travel				
Trip 1				\$
Trip 2				\$
Equipment				
Item A				\$
Item B				\$
Supplies and Materials				
Item A				\$
Item B				\$
Contractual/Construction				
Contractor A				\$
Contractor B				\$
Other				
Other				\$
TOTAL DIRECT COSTS				\$
Indirect Costs				
Type of rate	percentage	\$ base		\$
TOTAL ESTIMATED PROJECT COSTS				\$

Budget Narrative

Submission of a budget narrative is mandatory. An award will not be made to any applicant who fails to fully disclose this information. The budget narrative provides a discussion of, or explanation for, items included in the budget proposal. Include the value of in-kind contributions or donations of goods and services and sources of funds provided to complete the project. The types of information to describe in the narrative include, but are not limited to, those listed in the following subsections. Costs, including the valuation of in-kind contributions and donations, must comply with the applicable cost principles contained in 2 CFR Part §200, available at the Electronic Code of Federal Regulations www.ecfr.gov.

Salaries and Wages

Indicate program manager and other key personnel by name and title. Other personnel may be indicated by title alone. For all positions, indicate salaries and wages, estimated hours or percent of time, and rate of compensation. The labor rates should identify the direct labor rate separate from the fringe rate or fringe cost for each category. All labor estimates, including any proposed subcontractors, shall be allocated to specific tasks as outlined in the recipient's technical project description. These tasks may include project oversight, project design, and project specific communication and volunteer recruitment activities. Labor rates and proposed hours shall be displayed for each task.

Include estimated hours for compliance with reporting requirements, including final project and evaluation, please see *Section F.3. Reporting Requirements and Distribution* for information on types and frequency of reports required.

Generally, salaries of administrative and/or clerical personnel will be included as a portion of the stated indirect costs. If these salaries can be adequately documented as direct costs, they should be included in this section; however, a justification should be included in the budget narrative.

Within the budget narrative, please provide a certification that the labor rates included in the budget proposal represent the actual labor rates of the identified personnel. If the proposal is selected for award and the awarding Grants Officer determines that the provided rates fall within Bureau of Labor Statistic averages for personnel with similar job descriptions, no further documentation for this item of cost shall be requested during budget negotiations.

Fringe Benefits

Indicate rates/amounts, what costs are included in this category, and the basis of the rate computations. Indicate whether these rates are used for application purposes only or whether they are fixed or provisional rates for billing purposes. Federally approved rate agreements are acceptable for compliance with this item.

Travel

Include purpose of trip, destination, number of persons traveling, length of stay, and all travel costs including airfare (basis for rate used), per diem, lodging, and miscellaneous travel expenses. For local travel, include mileage and rate of compensation.

Equipment

If equipment will be purchased, itemize all equipment valued at or greater than \$5,000. For each item, identify why it is needed for the completion of the project and how the equipment was priced. *Note: if the value is less than \$5,000, the item should be included under materials and supplies.*

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If equipment is being rented, specify the number of hours and the hourly rate. Local rental rates are only accepted for equipment actually being rented or leased for the project.

If the applicant intends to use their own equipment for the purposes of the project, the proposed usage rates should fall within the equipment usage rates outlined by the United States Army Corps of Engineers (USACE) within their Construction Equipment Ownership and Operating Expense Scheduled (EP 1110-1-8) at http://www.publications.usace.army.mil/USACE-Publications/Engineer-Pamphlets/udt_43545_param_orderby/Pub_x0020_Date_UDT_Value/udt_43545_param_direction/descending/

If the proposal is selected for award and the awarding Grants Officer determines that the proposed rates fall within those outlined within the USACE publication, no further documentation for this item of cost shall be requested during budget negotiations.

Materials and Supplies

Itemize supplies by major category, unit price, quantity, and purpose, such as whether the items are needed for office use, research, or construction. Identify how these costs were estimated (i.e., quotes, past experience, engineering estimates, or other methodology).

Contractual

Identify all work that will be accomplished by sub-recipients, consultants, or contractors, including a breakdown of all tasks to be completed, and a detailed budget estimate of time, rates, supplies, and materials that will be required for each task. Identify how the budgeted costs for sub-recipients, consultants, or contractors were determined to be fair and reasonable. *Note: If a sub-recipient, consultant, or contractor is proposed and approved at the time of award, no other approvals will be required. Any changes or additions will require a request for approval.*

Environmental and Regulatory Compliance Costs

Applicants must include a line item in their budget to cover environmental compliance costs. “Environmental compliance costs” refer to costs incurred by Reclamation and the recipient in complying with environmental regulations applicable to an award under this FOA, including costs associated with any required documentation of environmental compliance, analyses, permits, or approvals. Applicable Federal environmental laws could include NEPA, ESA, NHPA, CWA, and other regulations depending on the project. Such costs may include, but are not limited to:

- The cost incurred by Reclamation to determine the level of environmental compliance required for the project

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- The cost incurred by Reclamation, the recipient, or a consultant to prepare any necessary environmental compliance documents or reports
- The cost incurred by Reclamation to review any environmental compliance documents prepared by a consultant
- The cost incurred by the recipient in acquiring any required approvals or permits, or in implementing any required mitigation measures

The amount of the line item should be based on the actual expected environmental compliance costs for the project, including Reclamation's cost to review environmental compliance documentation. However, the minimum amount budgeted for environmental compliance should be equal to at least one to two percent of the total project costs. If the amount budgeted is less than one to two percent of the total project costs, you must include a compelling explanation of why less than one to two percent was budgeted.

How environmental compliance activities will be performed (e.g., by Reclamation, the applicant, or a consultant) and how the environmental compliance funds will be spent will be determined pursuant to subsequent agreement between Reclamation and the applicant. The amount of funding required for Reclamation to conduct any environmental compliance activities, including Reclamation's cost to review environmental compliance documentation, will be withheld from the Federal award amount and placed in an environmental compliance account to cover such costs. If any portion of the funds budgeted for environmental compliance is not required for compliance activities, such funds may be reallocated to the project, if appropriate.

For assistance related to budgeting for environmental compliance costs, contact your local Reclamation office, listed at www.usbr.gov/main/offices.html.

Other Expenses

Any other expenses not included in the above categories shall be listed in this category, along with a description of the item and why it is necessary. No profit or fee will be allowed.

Indirect Costs

Applicants with a federally approved indirect cost rate agreement may include indirect costs as part of the project budget. Show the agreed upon rate, cost base, and proposed amount for allowable indirect costs. It is not acceptable to simply incorporate indirect rates within other direct cost line items.

If the applicant has never received a Federal negotiated indirect cost rate, the budget may include a *de minimis* indirect cost rate of up to 10 percent against a base of modified total direct costs. For further information on modified total direct costs, refer to 2 CFR §200.68 available at www.ecfr.gov.

Total Costs

Indicate total amount of project costs, including the Federal and non-Federal cost share amounts.

D.3. Unique Entity Identifier and System for Award Management

All applicants (unless the applicant has an exception approved by Reclamation under 2 CFR §25.110[d]) are required to:

- (i) Be registered in the System for Award Management (SAM) before submitting its application;
- (ii) Provide a valid unique entity identifier in its application; and
- (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

Meeting the requirements set forth above is mandatory. If the applicant is unable to comply with these requirements by the application deadline, the unique entity identifier must be obtained and SAM registration must be initiated within 30 days after the application deadline in order to be considered for selection and award. Applications that do not comply with these requirements may be removed from consideration.

Reclamation will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Reclamation is ready to make an award, Reclamation may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

D.4. Submission Date and Time

Application submission date deadline:

February 15, 2017, 4:00 p.m. Mountain Standard Time (MST)

Proposals received after the application deadline will not be considered unless it can be determined that the delay was caused by Federal government mishandling.

Please note that any application submitted for funding under this FOA may be subjected to a Freedom of Information Act request (5 USC §552, as amended by P.L. No. 110-175), and as a result, may be made publicly available. Following awards of funding, Reclamation may post all successful applications on the Reclamation website, www.usbr.gov/watersmart/cwmp/examples.html, after

conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

D.4.1. Application Delivery Instructions

Applications may be submitted electronically through Grants.gov (www.grants.gov) or hard copies may be submitted to either one of the following addresses. Under no circumstances will applications received through any other method (such as email or fax) be considered eligible for award.

By mail: Bureau of Reclamation Acquisition Operations Branch
Attn: Ms. Irene Hoiby
Mail Code: 84-27852
P.O. Box 25007
Denver, Colorado 80225

By express delivery: Bureau of Reclamation mail services
Attn: Ms. Irene Hoiby
Denver Federal Center
Bldg. 67, Rm. 152
6th Avenue and Kipling Street
Denver, Colorado 80225

By courier services: Bureau of Reclamation
Attn: Ms. Irene Hoiby
Denver Federal Center
Bldg. 56, Rm. 1000
6th Avenue and Kipling Street
Denver, Colorado 80225

D.4.2. Instructions for Submission of Application

Each applicant shall submit an application in accordance with the instructions contained in this section.

D.4.2.1. Applications Submitted by Mail, Express Delivery or Courier Services

Please follow these instructions to submit your application by mail, express delivery, or courier services.

- Applicants shall submit one copy of all application documents for hardcopy submissions. Only use a binder clip for documents submitted. Do not staple or otherwise bind application documents.
- Hard copy applications may be submitted by mail, express delivery, or courier services to the addresses identified in this FOA.

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- Materials arriving separately will not be included in the application package and may result in the application being rejected or not funded. This does not apply to letters of support, funding commitment letters, or official resolutions. However, letters of support received after the application deadline for this FOA will not be considered in the evaluation of the proposal.
- Faxed and emailed copies of application documents will not be accepted.
- Do not include a cover letter or company literature/brochure with the application. All pertinent information must be included in the application package.

D.4.2.2. Applications Submitted Electronically

If the applicant chooses to submit an electronic application, it must be submitted through Grants.gov (www.grants.gov). Reclamation encourages applicants to submit their applications for funding electronically at www.grants.gov/applicants/apply-for-grants.html. Applicant resource documents and a full set of instructions for registering with Grants.gov (www.grants.gov) and completing and submitting applications online are available at: www.grants.gov/applicants/apply-for-grants.html.

- Please note that submission of an application electronically requires prior registration through Grants.gov, which may take 7 to 21 days. Please see registration instructions at www.grants.gov/applicants/apply-for-grants.html. **In addition, please note that the Grants.gov system only accepts applications submitted by individuals that are registered and active in SAM as both a user and an Authorized Organizational Representative.**
- Applicants have experienced significant delays when attempting to submit applications through Grants.gov. If you plan to submit your application through Grants.gov you are encouraged to submit your application several days prior to the application deadline. If you are a properly registered Grants.gov applicant and encounter problems with the Grants.gov application submission process, you must contact the Grants.gov Help Desk to obtain a case number. This case number will provide evidence of your attempt to submit an application prior to the submission deadline.

Regardless of the delivery method used, you must ensure that your proposal arrives by the date and time deadline stated in this FOA. Applications received after this date and time due to weather or express delivery/courier performance will not be considered for award. Late applications will not be considered unless it is determined that the delay was caused by Federal Government mishandling or by a problem with the Grants.gov application system.

D.4.2.3. Acknowledgement of Application Receipt.

If an application is submitted by mail, express delivery, or courier, Reclamation will notify you in writing that your application was received and whether it was received prior to the deadline identified in the FOA.

If an application is submitted through Grants.gov, you will receive an email acknowledging receipt of the application from Grants.gov. In addition, Reclamation will notify you in writing that your application was retrieved from Grants.gov.

D.5. Intergovernmental Review

This FOA is not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

D.6. Funding Restrictions: Pre-award Costs

Project pre-award costs that have been incurred prior to the date of award but after July 1, 2016 may be submitted for consideration as an allowable portion of the recipient’s cost share. **In no case will pre-award costs incurred prior to July 1, 2016, be considered for cost-share purposes. Further, under no circumstance will costs for incorporation or costs for the development of bylaws, a mission statement, or watershed restoration/management plan be considered allowable pre-award costs under the new award.**

For example, such costs might include design or construction plans and environmental compliance costs directly supporting the proposed project. Reclamation will review the proposed pre-award costs to determine if they are allowable in accordance with the authorizing legislation and applicable cost principles. To be considered allowable, any pre-award costs proposed for consideration under the new awards must comply with all applicable requirements under this FOA.

D.7. Automated Standard Application for Payments Registration

All applicants must also be registered with and willing to process all payments through the Department of Treasury Automated Standard Application for Payments (ASAP) system. All recipients with active financial assistance agreements with Reclamation must be enrolled in ASAP under the appropriate Agency Location Code(s) and the Data Universal Number System (DUNS) Number prior to the award of funds. If a recipient has multiple DUNS numbers they must separately enroll within ASAP for each unique DUNS Number and/or Agency. All of the information on the enrollment process for recipients, including the enrollment initiation form and the enrollment mailbox can be found at www.usbr.gov/mso/aamd/asap.html.

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Note that if your entity is currently enrolled in the ASAP system with an agency other than Reclamation, you must enroll specifically with Reclamation in order to process payments.

Section E. Application Review Information \$

E.1. Evaluation Criteria

The evaluation criteria portion of your application should thoroughly address each of the following criteria and sub-criteria in the order presented to assist in the complete and accurate evaluation of your proposal. If a particular criterion does not apply to your project, please indicate which criteria are inapplicable as part of your application.

Note: it is suggested that applicants copy and paste the below criteria and sub-criteria into their applications to ensure that all necessary information is adequately addressed.

Applications will be evaluated against the evaluation criteria (listed below), which comprise 100 points of the total evaluation weight. Please note that projects may be prioritized to ensure that they address the goals of the WaterSMART program.

E.1.1. Evaluation Criterion A: Watershed Restoration Planning (30 points)

Up to **30 points** may be awarded based on the extent to which the proposed project is supported by an existing watershed restoration plan (see *Section D.2.2.4 Documentation in Support of Applicant Eligibility* for more information regarding watershed restoration plan requirements). Reclamation will use the following criteria to prioritize proposals based on watershed restoration plans that are more holistic, address multiple issues related to water resources within the watershed, and that are developed by stakeholders with diverse interests. Please attach a copy of the applicable watershed restoration plan, or sections of the plan, as an appendix to your application. These pages will not be included in the total page count for the application.

- Describe your watershed restoration plan.
 - When was the restoration plan prepared and for what purpose?
 - What types of watershed management issues are addressed in the plan? For example, does the restoration plan address water quantity issues, water quality issues, and/or issues related to ecosystem health or the health of species and habitat within the watershed?
 - Who was involved in preparing the plan? Was the plan prepared with input from stakeholders with diverse interests (e.g., water, land or forest management interests, or environmental, agricultural, municipal, tribal, recreation uses)? What was the process used for interested stakeholders to provide input during the planning process?

- If the restoration plan was prepared by an entity other than the applicant, explain why the watershed group applying did not prepare its own plan. In cases where the applicant did not prepare the restoration plan, the applicant must provide documented support for the proposed project by the entity that authored the plan.
- Describe how the existing restoration plan provides support for your proposed watershed management project.
 - Does the proposed project implement a goal or need identified in the restoration plan?
 - Describe how the proposed project is prioritized in the referenced restoration plan.

E.1.2. Evaluation Criterion B: Project Benefits (30 points)

Up to **30 points** may be awarded based on the evaluation of the benefits that are expected to result from the proposed project. This criterion evaluates the extent to which the project will improve the ecological resilience of the river, stream, or riparian systems within the watershed, and whether the project will benefit multiple water uses (agricultural, environmental, municipal, tribal, recreation uses) and issues within the watershed. Proposals containing a well-supported description of project benefits will receive more points under this criterion.

Please note, if the work described in your application is a phase of a larger project, please only discuss the benefits that will result directly from the work discussed in your application and that is reflected in the budget and exclude discussion of benefits expected from the overall project.

- Describe the expected benefits of the proposed project. Address all of the following sub-bullets that apply to the project (the described benefits are not listed in order of priority). In your responses, describe the extent and significance of the benefits associated with the project, including the geographic extent, the magnitude of expected project, and the significance of the benefits to addressing important issues within the watershed. Project benefits should be supported and quantified where appropriate, including support for the type of project and the methodology. Support for project benefits can include the existing watershed restoration plan, or other relevant planning efforts, research and science.
 - Will the project make more water available to meet water needs, or make water available at a more advantageous time or location? If so, how and to what extent?
 - Will the project result in long-term improvements to water quality? For example, will the project decrease sediment or nutrient pollution, improve

Section E. Application Review Information

water temperature, or mitigate impacts from mining or wildfires? If so, how and to what extent?

- Will the project benefit aquatic or riparian ecosystems within the watershed? For example, will the project reduce flood risk, reduce bank erosion, increase biodiversity, preserve native species, or mitigate wildfire impacts? If so, how and to what extent?
- Will the project benefit specific species and habitats? If so, describe the species and/or type of habitat that will benefit. How and to what extent will the project benefit the species or habitat? Please explain the status of species and habitat that will benefit (e.g., native species, game species, federally threatened or endangered, state listed, and whether critical habitat has been designated).
- Will the project benefit multiple water uses within the watershed (e.g., municipal, agricultural, environmental, tribal, recreation uses)? If so, how and to what extent?
- Will the project benefit watershed stakeholders in ways not addressed in the preceding questions? If so, how? Will the project reduce water conflicts within the watershed? Will the project increase resiliency to drought? Will the project provide benefits other water uses not mentioned above? If so, how and to what extent?
- Will the project address multiple issues of concern within the watershed (e.g., both water supply and fish habitat issues)?
- Will the project benefit multiple water uses within the watershed (e.g., municipal, agricultural, environmental, tribal, recreation uses)? If so, how and to what extent?

E.1.3. Evaluation Criterion C: Stakeholder Support (15 points)

Up to **15 points** may be provided based on the level of stakeholder support for the proposed project and the extent to which the project will complement, and not duplicate, other ongoing efforts in the watershed. Proposals which demonstrate support for the project from a diverse array of stakeholders, and which will complement other ongoing activities, will receive the most points under this criterion.

- Please describe the level of stakeholder support for the proposed project. Are letters of support from stakeholders provided (see *Section D.2.2.8. Letters of Support*)? Are any stakeholders providing support for the project through cost-share contributions, or through other types of contributions to the project?

- Please explain whether the project is supported by a diverse set of stakeholders (appropriate given the types of interested stakeholders within the watershed and the scale, type and complexity of the proposed project). For example, is the project supported by entities representing environmental, agricultural, municipal, tribal, or recreation uses?
- Is the project supported by entities responsible for the management of land, water, recreation, or forestry within the watershed? Is the project consistent with the policies of those agencies?
- Is there opposition to the proposed project? If so, describe the opposition and explain how it will be addressed. Opposition will not necessarily result in fewer points.
- Will the proposed project complement other, ongoing watershed management activities by state, Federal, or local government entities, non-profits or individual landowners within the watershed? Please describe other relevant efforts, including who is undertaking these efforts and whether they support the proposed project. Explain how the proposed project will avoid duplication or complication of other ongoing efforts.

E.1.4. Evaluation Criterion D: Project Implementation (10 points)

Up to **10 points** may be awarded based upon the extent to which the watershed group is capable of proceeding with the proposed project upon entering into a financial assistance agreement. Applicants that describe a detailed implementation plan (e.g., estimated project schedule that shows the stages and duration of the proposed work, including major tasks, milestones, and dates) will receive the most points under this criterion.

- Describe the implementation plan for the proposed project. Please include an estimated project schedule that shows the stages and duration of the proposed work, including major tasks, milestones, and dates.
- Include a detailed project budget outlining costs for specific tasks.
- Describe any permits and agency approvals that will be required, along with the process and timeframe for obtaining such permits or approvals.
- Identify and describe any engineering or design work performed specifically in support of the proposed project, or that will be performed as part of the project.
- Does the applicant have access to the land or water source where the project is located? If so, please provide documentation. If the applicant does not yet have permission to access the project location, please describe the process and timeframe for obtaining such permission.

Note: program funding may not be used for the purchase of water or land, or to secure an easement.

E.1.5. Evaluation Criterion E: Performance Measures (10 points)

Up to **10 points** may be provided based on the extent to which the proposal describes a plan to monitor the progress and effectiveness of the project once complete.

Note: program funding may be used to establish a monitoring and data management plan or to install necessary equipment to monitor progress (see Section C.3.1.2 Supplemental Activities). However, program funding may not be used to measure performance once the project is completed (these costs are considered normal operation and maintenance costs and are the responsibility of the applicant).

- Please describe the performance measures that will be used to quantify actual project benefits upon completion of the project. Include support for why the specific performance measures were chosen.

E.1.6. Evaluation Criterion F: Nexus to Reclamation (5 points)

Up to **5 points** may be provided under this criterion for proposals that demonstrates a nexus between the proposed project and a Reclamation project or activity. Applicants should describe the nexus between the proposed project and a Reclamation project or activity, including:

- How is the proposed project connected to a Reclamation project or activity?
- Is there a Reclamation project within the watershed or is the watershed otherwise affected by a Reclamation project?
- Will the proposed work contribute water to a basin where a Reclamation project is located?
- Will the project help Reclamation meet trust responsibilities to any tribe(s)?
- Does the proposed project support implementation of a relevant Department of the Interior initiative?

E.2. Review and Selection Process

The Federal government reserves the right to reject any and all applications that do not meet the requirements or objectives of this FOA or which are outside the scope of the WaterSMART Program. Awards will be made for projects most advantageous to the Federal government. Award selection may be made to

maintain balance among the eligible projects listed in this FOA. The evaluation process will be comprised of the steps described in the following subsections.

E.2.1. Initial Screening

All application packages will be screened to ensure that:

- The application contains the required eligibility documentation and that the applicant meets the eligibility requirements stated in this FOA.
- The applicant meets the unique entity identifier and SAM registration requirements stated in this FOA (this may be completed up to 30 days after the application deadline).
- The application meets the content requirements of the FOA package, including submission of technical and budget proposals, a funding plan, letter(s) of commitment, and related forms.
- The application contains a properly executed SF-424 Application for Federal Assistance, form SF-424A Budget Information Non-Construction Programs or form SF-424C Budget Information Construction Programs, and form SF-424B Assurances Nonconstruction Programs or form SF-424D Assurances Construction Programs.
- The application includes an official resolution, adopted by the applicant's board of directors, governing body, or appropriate authorized official (this may be submitted up to 30 days after the application deadline).
- The application and funding plan meets or exceeds the minimum non-Federal cost share requirements identified in this FOA.
- The project can be completed by September 30, 2019 (for a 2-year project), or by September 30, 2020 (for an approved 3-year project).

Reclamation reserves the right to remove an application from funding consideration if it does not pass all Initial Screening criteria listed above. An applicant that has submitted an application that is determined to be ineligible for funding will be notified along with other applicants, or sooner, if possible.

E.2.2. Application Review Committee Review

Evaluation criteria will comprise the total evaluation weight as stated in the *Section E. Application Review Information*. Applications will be scored against the evaluation criteria by an Application Review Committee (ARC), made up of experts in relevant disciplines selected from across Reclamation. The ARC may also include representatives from other Federal agencies with experience reviewing similar types of projects. The ARC will also review the application to

ensure that the proposed project meets the description of eligible projects and meets the objectives of this FOA.

During ARC review, Reclamation may contact applicants to request clarifications to the information provided, if necessary.

E.2.3. Red-Flag Review

Following the results of the ARC review, Reclamation offices will review the top-ranking applications and identify any reasons why a proposed project would not be feasible or otherwise advisable, including environmental or cultural resources compliance issues, permitting issues, legal issues, or financial position. Positive or negative past performance by the applicant and any partners in previous working relationships with Reclamation may be considered, including whether the applicant is making significant progress toward the completion of outstanding financial assistance agreements and whether the applicant is in compliance with all reporting requirements associated with previously funded projects.

In addition, during this review, Reclamation will address any specific concerns or questions raised by members of the ARC, conduct a preliminary budget review, evaluate the applicant's ability to meet cost share as required, determine whether the applicant has budgeted appropriately for environmental compliance, and ascertain whether any significant environmental issues (i.e., issues that would make the project infeasible) are apparent.

E.2.4. Managerial Review

Reclamation management will prioritize projects to ensure the total amount of all awards does not exceed available funding levels. Management will also ensure that all projects meet the scope, priorities, requirements, and objectives of this FOA. Management may also prioritize projects to ensure that multiple project types are represented.

E.2.5. Pre-Award Clearances and Approvals

The following pre-award clearances and approvals must be obtained before a funding award is made. If the results of these pre-award reviews and clearances are satisfactory, the funding award will be made once the agreement is finalized (approximately one to three months from the date of initial selection). If the results of pre-award reviews and clearances are unsatisfactory, consideration of funding for the project may be withdrawn.

E.2.5.1 Environmental Compliance Review

Reclamation will forward all proposals selected for award consideration to the appropriate Reclamation Regional or Area Office for completion of environmental compliance. To the extent possible, environmental compliance will be completed before a financial assistance agreement is signed by the parties.

However, in most cases, the award will be made contingent on completion of environmental compliance. The financial assistance agreement will describe how compliance will be carried out and how the costs will be paid. Ground disturbing activities may not occur until this second level of environmental analysis is completed.

E.2.5.2 Budget Analysis and Business Evaluation

A Reclamation Grants Officer will also conduct a detailed budget analysis and complete a business evaluation and responsibility determination. During these evaluations, the Grants Officer will consider several factors that are important, but not quantified, such as:

- Allowability, allocability, and reasonableness of proposed costs
- Financial strength and stability of the applicant
- Past performance, including satisfactory compliance with all terms and conditions of previous awards, such as environmental compliance issues, reporting requirements, proper procurement of supplies and services, and audit compliance
- Adequacy of personnel practices; procurement procedures; and accounting policies and procedures, as established by applicable Office of Management and Budget circulars

E.4. Anticipated Announcement and Federal Award Date

Reclamation expects to contact potential award recipients and unsuccessful applicants in May 2017 or slightly later if necessary. Within one to four months after that date, financial assistance agreements will be awarded to applicants that successfully pass all pre-award reviews and clearances.

Section F. Federal Award Administration Information

F.1. Federal Award Notices

Successful applicants will receive by electronic mail, a notice of selection signed by a Reclamation Grants Officer. This notice is not an authorization to begin performance.

F.2. Administrative and National Policy Requirements

F.2.1 Environmental and Cultural Resources Compliance

All projects being considered for award funding will require compliance with the National Environmental Policy Act (NEPA) before any ground-disturbing activity may begin. Compliance with all applicable state, Federal and local environmental, cultural, and paleontological resource protection laws and regulations is also required. These may include, but are not limited to, the Clean Water Act (CWA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), consultation with potentially affected tribes, and consultation with the State Historic Preservation Office.

Reclamation will be the lead Federal agency for NEPA compliance and will be responsible for evaluating technical information and ensuring that natural resources, cultural, and socioeconomic concerns are appropriately addressed. As the lead agency, Reclamation is solely responsible for determining the appropriate level of NEPA compliance. Further, Reclamation is responsible to ensure that findings under NEPA, and consultations, as appropriate, will support Reclamation's decision on whether to fund a project. Environmental and cultural resources compliance costs are considered project costs. If a proposal is initially recommended for funding, a detailed analysis will be performed to determine the actual environmental impacts of the project, to agree on any mitigation measures needed, and to document environmental compliance. The recipient will then work with Reclamation to provide the information necessary for Reclamation to complete the environmental compliance work.

Under no circumstances may an applicant begin any ground-disturbing activities (e.g., grading, clearing, and other preliminary activities) on a project before environmental and cultural resources compliance is complete and Reclamation explicitly authorizes work to proceed. This pertains to all components of the proposed project, including those that are part of the applicant's non-Federal cost-share. Reclamation will provide a successful applicant with information once such compliance is complete. An applicant that

proceeds before environmental and cultural resources compliance is complete may risk forfeiting Reclamation funding under this FOA.

F.2.2. Data and Data Tools

Any spatially explicit data or tools developed in the performance of an award made under this FOA must be developed in industry standard formats that are compatible with Geographic Information System platforms.

F.2.3. Approvals and Permits

Recipients shall adhere to Federal, state, territorial, tribal, and local laws, regulations, and codes, as applicable, and shall obtain all required approvals and permits. Recipients shall also coordinate and obtain approvals from site owners and operators.

F.2.4. Requirements for Agricultural Operations under P.L. 11-11, Section 9504(a)(3)(B)

In accordance with Section 9504(a)(3)(B) of P.L. 111-11, grants and cooperative agreements under this authority will not be awarded for an improvement to conserve irrigation water unless the applicant agrees to both of the following conditions:

- Not to use any associated water savings to increase the total irrigated acreage of the applicant
- Not to otherwise increase the consumptive use of water in the operation of the applicant, as determined pursuant to the law of the state in which the operation of the applicant is located

F.2.5. Title to Improvements P.L. 111-11, Section 9504(a)(3)(D)

If the activities funded through an agreement awarded under this FOA result in a modification to a portion of a federally owned facility that is integral to the existing operations of that facility, the Federal government shall continue to hold title to the facility and the improvements thereto. Title to improvements, P.L. 111-11, Section 9504(a)(3)(D) that are not integral to existing water delivery operations shall reside with the project sponsor.

F.2.6. Operation and Maintenance Costs under P.L. 111-11, Section 9504(a)(3)(E)(iv)

The non-Federal share of the costs for operation and maintenance of any infrastructure improvement funded through an agreement awarded under this FOA shall be 100 percent.

F.2.7. Liability under Public Law 111-11, Section 9504(a)(3)(F)

F.2.7.1. In General

Except as provided under Chapter 171 of Title 28, USC (commonly known as the Federal Tort Claims Act), the United States shall not be liable for monetary damages of any kind for any injury arising out of an act, omission, or occurrence that arises in relation to any facility created or improved through an agreement awarded under this FOA, the title of which is not held by the United States.

F.2.7.2. Tort Claims Act

Nothing in this FOA increases the liability of the United States beyond that provided in Federal Tort Claims Act.

F.2.8. Intangible Property (2 CFR 200.315)

(a) Title to intangible property acquired under a Federal award vests upon acquisition in the non-Federal entity (see §200.59 Intangible Property). The non-Federal entity must use that property for the originally-authorized purpose, and must not encumber the property without approval of the Federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions in §200.313 (e) Equipment.

(b) The non-Federal entity may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. The Federal awarding agency reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

(c) The non-Federal entity is subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce at 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Awards, Contracts and Cooperative Agreements.”

(d) The Federal government has the right to:

- (1) Obtain, reproduce, publish, or otherwise use the data produced under a Federal award; and
- (2) Authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

(e) Freedom of Information Act (FOIA).

(1) In response to a Freedom of Information Act (FOIA) request for research data relating to published research findings produced under a Federal award that were used by the Federal government in developing an agency action that has the force and effect of law, the Federal awarding agency must request, and the non-Federal entity must provide, within a reasonable time, the research data so that they can be made available to the public through the procedures established under the FOIA. If the Federal awarding agency obtains the research data solely in response to a FOIA request, the Federal awarding agency may charge the requester a reasonable fee equaling the full incremental cost of obtaining the research data. This fee should reflect costs incurred by the Federal agency and the non-Federal entity. This fee is in addition to any fees the Federal awarding agency may assess under the FOIA (5 U.S.C. 552(a)(4)(A)).

(2) Published research findings means when:

- (i) Research findings are published in a peer-reviewed scientific or technical journal; or
- (ii) A Federal agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law. “Used by the Federal government in developing an agency action that has the force and effect of law” is defined as when an agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.

(3) Research data means the recorded factual material commonly accepted in the scientific community as necessary to validate research findings, but not any of the following: preliminary analyses, drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues. This “recorded” material excludes physical objects (e.g., laboratory samples). Research data also does not include:

- (i) Trade secrets, commercial information, materials necessary to be held confidential by a researcher until they are published, or similar information which is protected under law; and
- (ii) Personnel and medical information and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as information that could be used to identify a particular person in a research study.

F.2.8. Award Document

If the applicant is awarded a financial assistance agreement as a result of this FOA, the proposed project and other relevant information from the application will be referenced in the agreement. The agreement document must be signed by a Reclamation Grants Officer before it becomes effective.

F.3. Reporting Requirements and Distribution

Recipients of awards made under this FOA will be required to submit the following reports during the term of the agreement. The specific terms and conditions pertaining to the reporting requirements will be included in the financial assistance agreement.

F.3.1. Financial Reports

Recipients will be required to submit a fully completed form SF-425 Federal Financial Report on at least a semi-annual basis and with the final performance report. The SF-425 must be signed by a person legally authorized to obligate the recipient.

F.3.2. Interim Program Performance Reports

Recipients will be required to submit interim performance reports on at least a semi-annual basis. At a minimum, each interim performance report must include the following information:

- A comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period
- The reasons why established milestones were not met, if applicable
- The status of milestones from the previous reporting period that were not met, if applicable
- Whether the project is on schedule and within the original cost estimate
- Any additional pertinent information or issues related to the status of the project

Two-year projects will be required to submit a 270-day (9-month) sufficiency report to demonstrate that significant progress has been made in order to receive second year funding. Similarly, projects approved to last three years will be required to submit a 270-day sufficiency report and a 630-day (21-month) sufficiency report to demonstrate that significant progress has been made to

receive second and third year funding. These reports will need to identify the source of the cost share associated with second and third year funding.¹

F.3.3. Final Program Performance Reports

Recipients will be required to submit a final performance report encompassing the entire period of performance. The final performance report must include, but is not limited to, the following information:

- Whether the project objectives and goals were met
- Discussion of the benefits achieved by the project, including information and/or calculations supporting the benefits
- How the project improves long-term resiliency to ecological resiliency
- How the project demonstrates collaboration, if applicable
- Photographs documenting the project are also appreciated
- If applicable, any data or data tools that were developed

Note: Reclamation may print photos with appropriate credit to the applicant. Also, final reports are public documents and may be made available on Reclamation's website, www.usbr.gov/watersmart/cwmp/plans.html.

F.4. Releasing Applications

Following awards of funding, Reclamation may post all successful applications on the Reclamation website after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

¹ Please keep in mind that a grant recipient shall not be eligible to receive second or third year funding unless it is determined that the watershed group is making significant progress towards meeting the milestones outlined in the financial assistance agreement.

Section G. Agency Contacts

There will be no pre-application conference. Organizations or individuals interested in submitting applications in response to this FOA may direct questions to the Reclamation personnel identified below.

G.1. Reclamation Financial Assistance Management Contact

Questions regarding application and submission information and award administration may be submitted to Irene Hoiby, Grants Management Specialist, as follows:

By mail: Bureau of Reclamation
Financial Assistance Services
Attn: Ms. Irene Hoiby
Mail Code: 84-27852
P.O. Box 25007
Denver, Colorado 80225

By email: ihoiby@usbr.gov

By phone: 303-445-2025

G.2. Reclamation Program Coordinator Contact

Questions regarding applicant and project eligibility and application review may be submitted to Avra Morgan, Cooperative Watershed Management Program Coordinator, or Robin Graber, Program Analyst, as follows:

By mail: Bureau of Reclamation
Water Resources and Planning
Attn: Ms. Avra Morgan
Mail Code: 84-51000
P.O. Box 25007
Denver, Colorado 80225

By e-mail: aomorgan@usbr.gov

By phone: 303-445-2906

OR

Funding Opportunity Announcement No. BOR-DO-17-F013

By mail: Bureau of Reclamation
Water Resources and Planning
Attn: Ms. Robin Graber
Mail Code: 84-51000
P.O. Box 25007
Denver, Colorado 80225

By e-mail: rgraber@usbr.gov

By phone: 303-445-2764

Section H: Other Information

The following is a brief overview of NEPA, NHPA, and ESA. While these statutes are not the only environmental laws that may apply to projects, they are the Federal laws that most frequently do apply. Compliance with all applicable environmental laws will be initiated by Reclamation concurrently, immediately following the initial recommendation to award funding for a project. The descriptions below are intended to provide you with information about the environmental compliance issues that may apply to your projects and to help you budget appropriately for the associated compliance costs.

H.1. National Environmental Policy Act

NEPA requires Federal agencies such as Reclamation to evaluate, during the decision-making process, the potential environmental effects of a proposed action and any reasonable mitigation measures. Before Reclamation can make a decision to fund a project, Reclamation must comply with NEPA. Compliance with NEPA can be accomplished in several ways, depending upon the degree and significance of environmental impacts associated with the proposal:

Some projects may fit within a recognized **Categorical Exclusion (CE)** to NEPA (i.e., one of the established categories of activities that generally do not have significant impacts on the environment). If a project fits within a CE, no further NEPA compliance measures are necessary. Use of a CE can involve simple identification of an applicable **Interior CE** or documentation of a **Reclamation CE** using a **Categorical Exclusion Checklist (CEC)**. If a CE is being considered, Reclamation will determine the applicability of the CE and whether extraordinary circumstances (i.e., reasons that the CE cannot be applied) exist. That process can take anywhere from 1 day to about 30 days, depending upon the specific situation.

If the project does not fit within a CE, compliance with NEPA might require preparation of an **Environmental Assessment/Finding of No Significant Impact (EA/FONSI)**. Generally, where no CE applies but there are not believed to be any significant impacts associated with the proposed action, an EA will be required. The EA is used to determine whether any potentially significant effects exist (which would trigger the further step of an **Environmental Impact Statement (EIS)**, below). If no potentially significant effects are identified, the EA process ends with the preparation of a FONSI. The EA/FONSI process is more detailed than the CE/CEC process and can take weeks or even months to complete. Consultation with other agencies and public notification are part of the EA process.

The most detailed form of NEPA compliance, where a proposed project has potentially significant environmental effects, is completion of an **EIS and Record of Decision (ROD)**. An EIS requires months or years to complete, and the process includes considerable public involvement, including mandatory public

reviews of draft documents. It is not anticipated that projects proposed under this program will require completion of an EIS.

During the NEPA process, potential impacts of a project are evaluated in context and in terms of intensity (e.g., will the proposed action affect the only native prairie in the county? Will the proposed action reduce water supplied to a wetland by 1 percent? Or 95 percent?) The best source of information concerning the potentially significant issues in a project area is the local Reclamation staff that has experience in evaluating effects in context and by intensity.

Reclamation has the sole discretion to determine what level of environmental NEPA compliance is required. If another Federal agency is involved, Reclamation will coordinate to determine the appropriate level of compliance. You are encouraged to contact your regional or area Reclamation office. See www.usbr.gov/main/offices.html with questions regarding NEPA compliance issues. You may also contact the Program Coordinator (see *Section G: Agency Contacts*) for further information.

H.2. National Historic Preservation Act

To comply with Section 106 of the NHPA, Reclamation must consider whether a proposed project has the **potential to cause effects to historic properties**, before it can award a Project. Historic properties are cultural resources (historic or prehistoric districts, sites, buildings, structures, or objects) that qualify for inclusion in the National Register of Historic Places. In some cases, water delivery infrastructure that is over 50 years old can be considered a historic property that is subject to review.

If a proposal is selected for initial award, recipients will work with Reclamation to complete the Section 106 process. Compliance can be accomplished in several ways, depending on how complex the issues are, including:

- If Reclamation determines that the proposed project does not have the potential to cause effects to historic properties then Reclamation will document its findings and the Section 106 process will be concluded. This can take anywhere from a couple of days to one month.
- If Reclamation determines that the proposed project could have effects on historic properties, a multi-step process, involving consultation with the State Historic Preservation Officer and other entities, will follow. Depending on the nature of the project and impacts to cultural resources, consultation can be complex and time consuming. The process includes:
 - A determination as to whether additional information is necessary
 - Evaluation of the significance of identified cultural resources
 - Assessment of the effect of the project on historic properties

- A determination as to whether the project would have an adverse effect and evaluation of alternatives or modifications to avoid, minimize, or mitigate the effects
- A Memorandum of Agreement is then used to record and implement any necessary measures. At a minimum, completion of the multi-step Section 106 process takes about two months.
- Among the types of historic properties that might be affected by are **historic irrigation systems** and **archaeological sites**. An irrigation system or a component of an irrigation system (e.g., a canal or headgate) is more likely to qualify as historic if it is more than 50 years old, if it is the oldest (or an early) system/component in the surrounding area, and if the system/component has not been significantly altered or modernized. In general, projects that involve ground disturbance, or the alteration of existing older structures, are more likely to have the potential to affect cultural resources. However, the level of cultural resources compliance required, and the associated cost, depends on a case-by-case review of the circumstances presented by each proposal.

You should contact your State Historic Preservation Office and your local Reclamation office's cultural resources specialist to determine what, if any, cultural resources surveys have been conducted in the project area. See www.usbr.gov/cultural/crmstaff.html for a list of Reclamation cultural resource specialists. If an applicant has previously received Federal financial assistance it is possible that a cultural resources survey has already been completed.

H.3. Endangered Species Act

Pursuant to Section 7 of the ESA, each Federal agency is required to consult with the U.S. Fish and Wildlife Service (USFWS) or the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service to ensure any action it authorizes, funds, or carries out is not likely **to jeopardize the continued existence of any endangered or threatened species or destroy or adversely modify any designated critical habitat**.

Before Reclamation can approve funding for the implementation of a project, it is required to comply with Section 7 of the ESA. The steps necessary for ESA compliance vary, depending on the presence of endangered or threatened species and the effects of the proposed project. A rough overview of the possible course of ESA compliance is:

- If Reclamation can determine that there are no endangered or threatened species or designated critical habitat in the project area, then the ESA review is complete and no further compliance measures are required. This process can take anywhere from one day to one month.

- If Reclamation determines that endangered or threatened species may be affected by the project, then a **Biological Assessment** must be prepared by Reclamation. The Biological Assessment is used to help determine whether a proposed action may affect a listed species or its designated critical habitat. The Biological Assessment may result in a determination that a proposed action **is not likely to adversely affect** any endangered or threatened species. If the USFWS/NOAA Fisheries Service concurs in writing, then no further consultation is required and the ESA compliance is complete. Depending on the scope and complexity of the proposed action, preparation of a Biological Assessment can range from days to weeks or even months. The USFWS/NOAA Fisheries Service generally respond to requests for concurrence within 30 days.
- If it is determined that the project **is likely to adversely affect listed species**, further consultation (**formal consultation**) with USFWS or NOAA Fisheries Service is required to comply with the ESA. The process includes the creation of a **Biological Opinion** by the USFWS/NOAA Fisheries Service, including a determination of whether the project would **jeopardize** listed species and, if so, whether any **reasonable and prudent** alternatives to the proposed project are necessary to avoid jeopardy. Nondiscretionary **reasonable and prudent measures and terms and conditions** to minimize the impact of incidental take may also be included. Under the timeframes established in the ESA regulations, the Biological Opinion is issued within 135 days from the date that formal consultation was initiated, unless an extension of time is agreed upon.

The time, cost, and extent of the work necessary to comply with the ESA depends upon whether endangered or threatened species are present in the project area and, if so, whether the project might have effects on those species significant enough to require formal consultation.

ESA compliance is often conducted parallel to the NEPA compliance process and, as in the case of a CEC, documented simultaneously. The best source of information concerning the compliance with the ESA in a particular project area is the local Reclamation environmental staff that can be helpful in determining the presence of listed species and possible effects that would require consultation with the USFWS or NOAA Fisheries Service. Contact your regional or area Reclamation office, www.usbr.gov/main/offices.html with questions regarding ESA compliance issues.